



PLANNING DIRECTOR'S HEARING AGENDA

WEDNESDAY, May 31, 2006

9:00 a.m.
City Council Chambers
City Hall

200 East Santa Clara Street
San Jose, California 95113-1905

Hearing Officers

Jean Hamilton, AICP, Acting Deputy Director

Susan Walton, Principal Planner

**Joseph Horwedel, Acting Director
Planning, Building, and Code Enforcement**

NOTE

To arrange an accommodation under the Americans with Disabilities Act to participate in this public meeting, we ask that you call (408) 535-7800 (VOICE), 294-9337 (TTY) at least two days, (48 hours) before the meeting. If you requested such an accommodation and have not already identified yourself to the technician seated at the staff table, please do so now. If you did not call in advance and do now need assistance, please see the technician.

NOTICE TO THE PUBLIC

Good morning, this is the Planning Director's Hearing of **May 31, 2006**. My name is _____ and I am the Hearing Officer for today's agenda. On behalf of the Planning Director, I would like to welcome you to this Public Hearing. Please remember to turn off all cell phones and pagers. A copy of the agenda is available on the table by the door for your convenience. A validation machine is available up the stairs at the rear of these chambers for parking tickets for the garage underneath City Hall.

The procedure for this hearing is as follows:

- Hearing Officer will identify the project as described on the agenda
- Staff report
- After the staff report, applicant and/or representative will have up to 5 minutes to speak and should make themselves known as their item comes up by approaching the microphone and identifying themselves and stating their home address, or just wave from the audience if you do not wish to speak
- Public testimony of up to 2 minutes, either for or against the project. Please state name and home address for the record
- After the public testimony, the applicant may make closing remarks of up to 5 minutes
- The Hearing Officer may ask questions of the speaker
- The public hearing will then be closed and the Hearing Officer will take action on the item. The Hearing Officer may request staff to respond to the public testimony, ask staff questions, and discuss the item

If you challenge these land use decisions in court, you may be limited to raising only those issues you or someone else raised at this public hearing or in written correspondence delivered to the City at, or prior to, the public hearing.

The Planning Director's action on these agenda items is final when the permit is signed and mailed, unless the permit is appealed. The Planning Director's actions are appealable in accordance with the requirements of Title 20 of the Municipal Zoning Code.

Note: If you have any agenda changes, please contact Gina Robles (gina.robles@sanjoseca.gov).

AGENDA

ORDER OF BUSINESS

1. DEFERRALS

Any item scheduled for hearing this morning for which deferral is being requested will be taken out of order, to be heard first on the matter of deferral. A list of staff recommended deferrals is available on the table. I will identify the items to be deferred and then ask for comments from the audience. If you want to change any of the deferral dates recommended or speak to the question of deferring these or any other items, you should say so at this time. I will now open the public hearing. The following items are proposed to be deferred.

The matter of deferrals is now closed.

2. CONSENT CALENDAR

NOTICE TO THE PUBLIC

The consent calendar items are considered to be routine and will be adopted by one motion. There will be no separate discussion of these items unless a request is made by the Director of Planning, staff, or the public to have an item removed from the consent calendar and considered separately. If anyone in the audience wishes to speak on one of these items, please come to the podium at this time.

- a. **TR06-019. Tree Removal Permit** request to remove two (2) Pine trees located on a strip of land that lies between a single family house and the common area of a multi-family complex in the R-1-8(PD) Planned Development Zoning District, located on the west side of Old Piedmont Road, north side of Charing Cross Lane (Valley Title Company, Owner). Council District 4. CEQA: Exempt. **Deferred from 5/24/06.**

- b. **SP06-037. Special Use Permit** request to allow modifications at an existing corporation yard, green waste transfer facility, truck maintenance facility including the addition of equipment for the collection and transfer of used motor oil on an approximately 7-gross acre site in the HI Heavy Industrial Zoning District, located on the southeasterly side of Berryessa Road at the eastern terminus of Commercial Street (1158 Berryessa Road) (Norcal Waste Systems, Applicant). Council District 4. SNI: None. CEQA: Addendum to Mitigated Negative Declaration. **Deferred from 5/24/06.**

- c. The projects being considered are located on the southeast corner of Lucretia and Owsley Avenues, on a 1.1 gross acre site in the A(PD) Planned Development Zoning District (Denise B. Do, Trustee, Owner/Developer). Council District 7. SNI: Tully/Senter. CEQA: Mitigated Negative Declaration, File No. PDC00-019. **Deferred from 5/24/06.**
 - 1. **PD05-046. Planned Development Permit** to construct 15 single-family attached residences.
 - 2. **PT05-064. Planned Tentative Map** to subdivide two parcels into 15 lots.
- d. **HA73-313-03. Site Development Permit Amendment** to allow the remodeling and conversion of a portion of an existing recreation area to apartment office space and installation of roof mounted mechanical equipment on a 12.33 gross acre site in the R-M Multiple Residence Zoning District, located at/on the Southeast corner of Cherry Avenue and Russo Drive (4950 CHERRY AV) (Cherry Avenue Development Co, Owner). Council District 9. SNI: None. CEQA: Exempt.
- e. **HA04-038-02. Site Development Permit Amendment** to allow after-hours and weekend construction as needed in accordance with the Construction Impact Mitigation Plan (CIMP) on a 2.99 gross acre site in the DC Downtown Primary Commercial Zoning District, located at the southeast corner of South 2nd Street and San Fernando Street (Central Place Project) (88 E San Fernando Street) (San Jose Redev Agcy, Owner; Wilson, Meany Sullivan, Developer). Council District 3. SNI: None. CEQA: Use of Mixed Use Project and Century Center Plan Amendment Final EIR.
- f. **SP06-012. Special Use Permit** to allow the conversion of an existing single-family residence structure to allow commercial uses on a 0.18 gross acre site in the CN Commercial Neighborhood Zoning District, located on the south side of Riddle Road, approximately 60 feet westerly of S. Winchester Boulevard (3110 Riddle Rd.) (Azar Malihe, Owner). Council District 1. SNI: Winchester. CEQA: Exempt.
- g. The projects being considered are located on the west side of Bundy Avenue approximately 65 feet northerly of Adra Avenue (433 Bundy Ave.) on 0.27 gross acre site in the A(PD) Planned Development Zoning District (Haile Kidane, Owner). Council District 1. SNI: None. CEQA: Exempt.
 - 1. **PD05-085: Planned Development Permit** to demolish existing structures and allow four (4) single-family attached residences.
 - 2. **PT05-106: Planned Development Vesting Tentative Map** to subdivide 1 lot into 5 lots for attached residential and open space uses.

- h. **PDA02-061-03. Planned Development Permit Amendment** to change the ground floor occupancy from commercial uses to residential uses on a 0.47 gross acre site in the A(PD) Planned Development Zoning District, located on the southeast corner of Asbury Street and Miller Street (750 MILLER ST) (Vendome Place 1 Llc, Owner). Council District 3. SNI: None. CEQA: Mitigated Negative Declaration.
- i. **TR06-056. Tree Removal Permit** to remove one Black Walnut tree 60 inches in circumference from a single-family residential lot in the R-1-8 Single-Family Residence Zoning District, located at/on the 1134 Culligan Blvd. (Ramoni Gerry M Trustee, Owner). Council District 10. CEQA: Exempt.

The consent calendar is now closed.

3. PUBLIC HEARING

- a. The projects being considered are located on the easterly side of Cottle Road, northerly of State Route 85 and westerly of Monterey Highway, in the A (PD) Planned Development Zoning District (HITACHI GLOBAL STORAGE TECH INC, Owner/ Developer). Council District 2. SNI: None. CEQA: Addendum to EIR. **Deferred from 5/17/06. (Continued from 5/24/06.)**
 - 1. **PD05-087. Master Planned Development Permit** to allow the demolition of existing buildings and the construction of a new public street network to allow the future construction of a residential, commercial, and industrial project on a 332 gross acre site.
 - 2. **PT05-108. Planned Development Tentative Map** to reconfigure 14 parcels into 14 lots for future residential, commercial, and industrial park uses on a 332 gross acre site.
- b. **SP06-017. Special Use Permit** to allow removal of existing, unpermitted retaining walls and replacement with new retaining walls on a 0.16-acre single family lot in the R-2 Two-Family Residence Zoning District, located at/on the east side of Fall Avenue approximately 100 feet south of Clayton Road (1514 FALL AV) (Schmitt Charles E Jr And Joanna B, Owner). Council District 5. SNI: None. CEQA: Exempt. **Deferred from 5/17/06.**
- c. **TR06-044. Tree Removal Permit** to allow removal of one Redwood tree 78 inches in circumference in the R-1-8 Single-Family Residence Zoning District, located at 801 Clintonia Avenue (Strena Rita, Owner). Council District 6. CEQA: Exempt. **Deferred from 5/17/06.**

- d. The projects being considered are located on the east side of Almaden Road across from the intersection with Malone Road (1992 ALMADEN RD) (Olson 737 - San Jose 1, Llc, Owner). Council District 6. SNI: None. CEQA: Mitigated Negative Declaration. **Deferred from 5/24/06.**
1. **PD05-094. Planned Development Permit** to construct 56 single-family attached residences on a 2.33 gross acre site in the A(PD) Planned Development Zoning District, and
 2. **PT05-119. Planned Development Tentative Condominium Map Permit** to subdivide 5 parcels into 12 lots for 56 condominium units.
- e. **TR04-045. Tree Removal Permit** request to remove one Blue Spruce Pine tree, 96 inches in circumference on a 0.13 gross acre site in the R-1-8 Single-Family Residence Zoning District, located at 1712 Lollie Court (Deome Mark And Gale D, Owner). Council District 9. CEQA: Exempt.
- f. **SP06-021. Special Use Permit** to allow existing retaining walls over two feet in height constructed without permits along the rear and side property lines of an existing single-family detached residence on a 0.18 gross acre site in the R-1-5 Single-Family Residence Zoning District, located at 971 Mount Carmel Drive (Hoogerwerf Bradley A And Jane C Trustee, Owner). Council District 10. SNI: None. CEQA: Exempt.
- g. **SP06-030. Special Use Permit** to replace the existing natural turf of the soccer field, football field, and baseball foul areas with new synthetic turf fields at an existing legal non-conforming private secondary school on a 20.74 gross acre site in the LI Light Industrial, R-2 Two-Family Residence, A - Agricultural, CP Pedestrian Commercial Zoning District, located on the north and south sides of West Hedding Street, approximately 350 feet westerly of Stockton Avenue (960 W HEDDING ST) (Bellarmine College Preparatory, Owner). Council District 6. SNI: None. CEQA: Exempt.
- h. **PD05-050. Planned Development Permit** to construct 4 single-family detached residences on a 0.37 gross acre site in the A(PD) Planned Development Zoning District, located on the southeast side of West Taylor Street approximately 200 feet northeast of Elm Street (846 W TAYLOR ST) (Kim Chong Kil Et Al, Chong Kim, Mi Kim, Owners). Council District 6. SNI: None. CEQA: Mitigated Negative Declaration (PDC05-073).

This concludes the Planning Director's Hearing for May 31, 2006. Thank you.

PLANNING DIRECTOR'S AGENDA ON THE WEB:
<http://www.sanjoseca.gov/planning/hearings/default.asp>
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(408) 535-7800 CITY OF SAN JOSE